

MESSAGE NO: 7166218 MESSAGE DATE: 06/15/2007

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 0098212  
MESSAGE #  
(s):

CASE #(s): A-475-818

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/14/1996 TO 06/30/1997

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN PASTA FROM ITALY COURT NO. 96-08-01970 INJUNCTION IS DISSOLVED. (A-475-818) AGRITALIA, AUDISO, AZIENDA, AND MORE

MESSAGE NO: 7166218

DATE: 06 15 2007

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 0098212

REFERENCE DATE: 04 07 2000

CASES: A - 475 - 818

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PERIOD COVERED: 06 14 1996 TO 06 30 1997

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN PASTA FROM ITALY  
COURT NO. 96-08-01970 INJUNCTION IS DISSOLVED.  
(A-475-818) AGRITALIA, AUDISO, AZIENDA, AND MORE

1. ON 11/30/2001, THE U.S. COURT OF INTERNATIONAL TRADE (CIT) ISSUED A FINAL DECISION IN THE CASE OF BORDEN, INC., V. UNITED STATES, COURT NO. 96-08-01970. AS A RESULT OF THIS DECISION, THE INJUNCTION TO WHICH MESSAGE 0098212, DATED 04/07/2000, REFERS ENJOINING LIQUIDATION OF ENTRIES WHICH ARE SUBJECT TO THE ANTIDUMPING DUTY ORDER ON CERTAIN PASTA FROM ITALY (A-475-818) FOR PERIOD 06/14/1996 THROUGH 06/30/1997 IS DISSOLVED.

2. FOR ALL SHIPMENTS OF CERTAIN PASTA FROM ITALY PRODUCED AND/OR EXPORTED BY THE FIRMS LISTED BELOW, AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 06/14/1996 THROUGH 06/30/1997, ASSESS ANTIDUMPING DUTIES AT THE CASH DEPOSIT RATE IN EFFECT ON THE DATE OF THE ENTRY.

AGRITALIA S.R.L. (A-475-818-000)

AUDISIO INDUSTRIA ALIMENTARE SPA (A-475-818-000)

AZIENDA AGRARIA LATINI (A-475-818-000)

CENTRO REGIONALE (A-475-818-000)

CONSORZIO SVILUPPO AGRICOLO (A-475-818-000)

DALLA COSTA ALIMENTARE (A-475-818-000)

GAZZONI 1907 S.R.L. (A-475-818-000)

INDUSTRIE ALIMENTARI MOLISANE GUACCI SPA (A-475-818-000)

NUOVA BETTINI SRL (A-475-818-000)

PASTIFICIO ARTIGIANO SNC (A-475-818-000)

PASTIFICIO GUIDO FERRARA (A-475-818-035)

PASTIFICIO NONNA LUISA S.R.L. (A-475-818-000)

PASTIFICIO RISCOSSA (A-475-818-000)

SHIPMENTS OF MERCHANDISE PRODUCED AND/OR EXPORTED BY PASTIFICIO GUIDO FERRARA MAY HAVE BEEN ENTERED UNDER A-475-818-000.

3. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE FOR THE COMPANIES LISTED ABOVE DURING THE PERIOD 01/19/1996 THROUGH 06/30/1997 OCCURRED WITH THE PUBLICATION OF THE AMENDED FINAL RESULTS OF ADMINISTRATIVE REVIEW (66 FR 65889, 12/21/2001).

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY

ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES AND/OR COUNTERVAILING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING AND/OR INCREASE THE ANTIDUMPING DUTY BY THE AMOUNT OF THE COUNTERVAILING DUTIES IN ACCORDANCE WITH THE ABOVE- REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING AND/OR COUNTERVAILING DUTIES DUE.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY CU:RT).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party